

THE PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were agreed to.

The bill (S. 1250), as amended, was read the third time and passed, as follows:

S. 1250

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. GREAT APE CONSERVATION ASSISTANCE.**

Section 4 of the Great Ape Conservation Act of 2000 (16 U.S.C. 6303) is amended—

(1) in subsection (d)—  
(A) in paragraph (4)(C), by striking “or” after the semicolon at the end;

(B) in paragraph (5), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(6) address root causes of threats to great apes in range states, including illegal bushmeat trade, diseases, lack of regional or local capacity for conservation, and habitat loss due to natural disasters.”; and

(2) in subsection (i)—

(A) by striking “Every” and inserting the following:

“(1) IN GENERAL.—Every”;

(B) in paragraph (1) (as designated by subparagraph (A)), by striking “shall” and inserting “may”; and

(C) by adding at the end the following:

“(2) APPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 App. U.S.C.) shall not apply to a panel convened under paragraph (1).”.

**SEC. 2. GREAT APE CONSERVATION FUND.**

Section 5(b)(2) of the Great Ape Conservation Act of 2000 (16 U.S.C. 6304(b)(2)) is amended—

(1) by striking “expand” and inserting “expand”; and

(2) by striking “\$80,000” and inserting “\$150,000”.

**SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

The Great Ape Conservation Act of 2000 is amended by striking section 6 (16 U.S.C. 6305) and inserting the following:

**“SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated to the Fund—

“(1) \$5,000,000 for each of fiscal years 2006 and 2007; and

“(2) \$7,000,000 for each of fiscal years 2008 through 2010.”.

**JUNIOR DUCK STAMP  
REAUTHORIZATION ACT OF 2005**

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate consideration of calendar No. 195, S. 1339.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1339) to reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1339) was read the third time and passed, as follows:

S. 1339

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Junior Duck Stamp Reauthorization Act of 2005”.

**SEC. 2. REAUTHORIZATION.**

The Junior Duck Stamp Conservation and Design Program Act of 1994 (16 U.S.C. 719 et seq.) is amended—

(1) by redesignating the first section 6 (16 U.S.C. 719c), relating to authorization of appropriations, as section 7 and moving the section so as to appear at the end of the Act; and

(2) in section 7 (as redesignated by paragraph (1)) by striking “2001 through 2005” and inserting “2006 through 2010”.

**PITTMAN-ROBERTSON WILDLIFE  
RESTORATION ACT AMENDMENTS**

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate consideration of calendar 196, S. 1340.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1340) to amend the Pittman-Robertson Wildlife Restoration Act to extend the date after which surplus funds in the wildlife restoration fund become available for apportionment.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1340) was read the third time and passed, as follows:

S. 1340

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. AVAILABILITY OF SURPLUS FUNDS IN  
WILDLIFE RESTORATION FUND.**

Section 3(b)(2)(C) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669b(b)(2)(C)) is amended by striking “2006” and inserting “2016”.

**CAPTIVE WILDLIFE SAFETY TECH-  
NICAL AMENDMENT ACT OF 2005**

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 197, S. 1415.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1415) to amend the Lacey Act Amendments of 1981 to protect captive wildlife and make technical corrections.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works, with amendments, as follows:

(Strike the parts shown in black brackets and insert the parts shown in italic.)

S. 1415

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Captive Wildlife Safety Technical Amendment Act of 2005”.

**SEC. 2. CAPTIVE WILDLIFE AMENDMENTS.**

(a) PROHIBITED ACTS.—Section 3 of the Lacey Act Amendments of 1981 (16 U.S.C. 3372) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A), by inserting “or” after the [semi-colon] semicolon;

(ii) in subparagraph (B), by striking “; or” and inserting a [semi-colon] semicolon; and

(iii) by striking subparagraph (C); and

(B) in paragraph (4), by inserting “or subsection (e)” before the period; and

(2) in subsection (e)—

(A) by redesignating paragraphs (2), (3), (4), and (5) as paragraphs (3), (4), (5), and (6) respectively;

(B) by striking “(e)” and all that follows through “Subsection (a)(2)(C)” in paragraph (1) and inserting the following:

“(e) CAPTIVE WILDLIFE OFFENSE.—

“(1) IN GENERAL.—It is unlawful for any person to import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce any live animal of any prohibited wildlife species.

“(2) NONAPPLICABILITY.—This subsection”;

(C) in paragraph (2) (as redesignated by subparagraph (A))—

(i) by striking “a” before “prohibited” and inserting “any”; and

(ii) by striking “(3)” and inserting “(4)”; and

(iii) by striking “(2)” and inserting “(3)”; and

(D) in paragraph (3) (as redesignated by subparagraph (A))—

(i) in subparagraph (C)—

(I) in clauses (ii) and (iii), by striking “animals listed in section 2(g)” each place it appears and inserting “prohibited wildlife species”; and

(II) in clause (iv), by striking “animals” and inserting “prohibited wildlife species”; and

(ii) in [suparagraph] subparagraph (D), by striking “animal” each place it appears and inserting “prohibited wildlife species”;

(E) in paragraph (4) (as redesignated by subparagraph (A)), by striking “(2)” and inserting “(3)”; and

(F) in paragraph (6) (as redesignated by subparagraph (A)), by striking “subsection (a)(2)(C)” and inserting “this subsection”; and

(G) by inserting after paragraph (6) (as redesignated by subparagraph (A)) the following:

“(7) APPLICATION.—This subsection shall apply beginning on the effective date of regulations promulgated under this subsection.”.

(b) CRIMINAL PENALTIES.—Section 4(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3373(d)) is amended—

(1) in paragraphs (1)(A) and (1)(B) and in the first sentence of paragraph (2), by striking “subsection 3(b)” each place it appears and inserting “subsections (b), (d), and (e) of section 3”; and

(2) in paragraph (3), by striking “section 3(d)” and inserting “subsections (d) and (e) of section 3”.

**SEC. 3. APPLICABILITY PROVISION AMENDMENT.**

Section 3 of the Captive Wildlife Safety Act (117 Stat. 2871; Public Law 108-191) is amended—

(1) in subsection (a), by striking “(a) IN GENERAL.—Section 3” and inserting “Section 3”; and

(2) by striking subsection (b).

Mr. FRIST. Mr. President, I ask unanimous consent that the committee-reported amendments be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were agreed to.

The bill (S. 1415), as amended, was read the third time and passed, as follows:

#### S. 1415

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Captive Wildlife Safety Technical Amendment Act of 2005".

#### SEC. 2. CAPTIVE WILDLIFE AMENDMENTS.

(a) PROHIBITED ACTS.—Section 3 of the Lacey Act Amendments of 1981 (16 U.S.C. 3372) is amended—

- (1) in subsection (a)—
- (A) in paragraph (2)—
- (i) in subparagraph (A), by inserting "or" after the semicolon;
- (ii) in subparagraph (B), by striking "or" and inserting a semicolon; and
- (iii) by striking subparagraph (C); and
- (B) in paragraph (4), by inserting "or subsection (e)" before the period; and

(2) in subsection (e)—

(A) by redesignating paragraphs (2), (3), (4), and (5) as paragraphs (3), (4), (5), and (6) respectively;

(B) by striking "(e)" and all that follows through "Subsection (a)(2)(C)" in paragraph (1) and inserting the following:

"(e) CAPTIVE WILDLIFE OFFENSE.—

"(1) IN GENERAL.—It is unlawful for any person to import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce any live animal of any prohibited wildlife species.

"(2) NONAPPLICABILITY.—This subsection";

(C) in paragraph (2) (as redesignated by subparagraph (A))—

- (i) by striking "a" before "prohibited" and inserting "any";
- (ii) by striking "(3)" and inserting "(4)"; and

(iii) by striking "(2)" and inserting "(3)";

(D) in paragraph (3) (as redesignated by subparagraph (A))—

(i) in subparagraph (C)—

(I) in clauses (ii) and (iii), by striking "animals listed in section 2(g)" each place it appears and inserting "prohibited wildlife species"; and

(II) in clause (iv), by striking "animals" and inserting "prohibited wildlife species"; and

(ii) in subparagraph (D), by striking "animal" each place it appears and inserting "prohibited wildlife species";

(E) in paragraph (4) (as redesignated by subparagraph (A)), by striking "(2)" and inserting "(3)";

(F) in paragraph (6) (as redesignated by subparagraph (A)), by striking "subsection (a)(2)(C)" and inserting "this subsection"; and

(G) by inserting after paragraph (6) (as redesignated by subparagraph (A)) the following:

"(7) APPLICATION.—This subsection shall apply beginning on the effective date of regulations promulgated under this subsection."

(b) CRIMINAL PENALTIES.—Section 4(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3373(d)) is amended—

(1) in paragraphs (1)(A) and (1)(B) and in the first sentence of paragraph (2), by striking "subsection 3(b)" each place it appears and inserting "subsections (b), (d), and (e) of section 3"; and

(2) in paragraph (3), by striking "section 3(d)" and inserting "subsections (d) and (e) of section 3".

#### SEC. 3. APPLICABILITY PROVISION AMENDMENT.

Section 3 of the Captive Wildlife Safety Act (117 Stat. 2871; Public Law 108-191) is amended—

(1) in subsection (a), by striking "(a) IN GENERAL.—Section 3" and inserting "Section 3"; and

(2) by striking subsection (b).

#### ORDERS FOR MONDAY, SEPTEMBER 12, 2005

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, September 12. I further ask consent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to a period of morning business, with the time equally divided until 3 p.m. I further ask consent that at 3 p.m., the Senate resume consideration of H.R. 2862, the Commerce, Science appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. FRIST. Mr. President, on Monday, the Senate will resume consideration of the Commerce-Justice-Science appropriations bill. There are a number of amendments pending or in order to the bill, and I encourage Members to offer and debate those amendments on Monday afternoon so we can schedule votes for Monday night and Tuesday.

On Monday evening, at 5:30, we will have an hour of debate followed by a vote on the motion to proceed to S.J. Res. 20, a resolution of disapproval relating to mercury. That vote will occur at 6:30 p.m., and additional votes are possible into the evening.

Early next week, we expect to finish the Commerce-Justice-Science appropriations bill, and we will continue with other appropriations measures over the course of that week. Many of these appropriations bills do have disaster-related language, language that is important to our response to

Katrina; therefore, we want to expedite their consideration.

We have been working to pass several freestanding measures in response to Katrina, and we will continue to do so as they become available. As I pointed out earlier this morning and yesterday, last night, we are working very aggressively to make sure all legislation which is of benefit to the victims of this hurricane are handled expeditiously on the floor of the Senate in their consideration and passage.

We have considered two emergency supplemental bills: the \$51.8 billion we passed last night and the \$10.5 billion we passed on Thursday of a week ago. We have considered bills regarding emergency court jurisdiction in response to Katrina and the courts' ability to continue their operations along the southern coast. We considered a resolution allowing for Senate offices to assist with noncash contributions with regard to relief in response to the hurricane.

We are currently working on a whole range of additional matters relating to flood insurance and TANF, which is the Temporary Assistance to Needy Families Program. Our committees, through their various jurisdictions, are working to see how and when we can take action to give that appropriate relief and make progress in helping all of those affected by this natural disaster. We will continue those efforts over the weekend and into next week.

#### ORDER FOR ADJOURNMENT

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order, following the remarks of Senator REID.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. In my capacity as a Senator from the State of Georgia, I ask unanimous consent that the order for the quorum call be rescinded.

Without objection, it is so ordered.

#### ADJOURNMENT UNTIL 2 P.M. MONDAY, SEPTEMBER 12, 2005

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 2 p.m. on Monday, September 12, 2005.

Thereupon, the Senate, at 12:50 p.m., adjourned until Monday, September 12, 2005, at 2 p.m.